

Attachment to the Cargo System Messaging Service Announcement of
Initiation of Antidumping and Countervailing Duty Investigations:
Certain Amorphous Silica from the People's Republic of China

On February 16, 2016, the Department of Commerce (Commerce) initiated its less-than-fair-value and countervailing duty investigations on "Certain Amorphous Silica from the People's Republic of China" (Initiation Notices). These investigations have been assigned the following case numbers: A-570-038 and C-570-039.

The Scope of Merchandise covered by these investigations reads as follows:

The product covered by this investigation is woven (whether from yarns or rovings) industrial grade amorphous silica fabric, which contains a minimum of 90 percent silica (SiO_2) by nominal weight, and a nominal width in excess of 8 inches. The investigation covers industrial grade amorphous silica fabric regardless of other materials contained in the fabric, regardless of whether in roll form or cut-to-length, regardless of weight, width (except as noted above), or length. The investigation covers industrial grade amorphous silica fabric regardless of whether the product is approved by a standards testing body (such as being Factory Mutual (FM) Approved), or regardless of whether it meets any governmental specification.

Industrial grade amorphous silica fabric may be produced in various colors. The investigation covers industrial grade amorphous silica fabric regardless of whether the fabric is colored. Industrial grade amorphous silica fabric may be coated or treated with materials that include, but are not limited to, oils, vermiculite, acrylic latex compound, silicone, aluminized polyester (Mylar®) film, pressure-sensitive adhesive, or other coatings and treatments. The investigation covers industrial grade amorphous silica fabric regardless of whether the fabric is coated or treated, and regardless of coating or treatment weight as a percentage of total product weight. Industrial grade amorphous silica fabric may be heat-cleaned. The investigation covers industrial grade amorphous silica fabric regardless of whether the fabric is heat-cleaned.

Industrial grade amorphous silica fabric may be imported in rolls or may be cut-to-length and then further fabricated to make welding curtains, welding blankets, welding pads, fire blankets, fire pads, or fire screens. Regardless of the name, all industrial grade amorphous silica fabric that has been further cut-to-length or cut-to-width or further finished by finishing the edges and/or adding grommets, is included within the scope of this investigation.

Subject merchandise also includes (1) any industrial grade amorphous silica fabric that has been converted into industrial grade amorphous silica fabric in China from fiberglass cloth produced in a third country; and (2) any industrial grade amorphous silica fabric that has been further processed in a third country prior to export to the United States, including but not limited to treating, coating, slitting, cutting to length, cutting to width, finishing the edges, adding grommets, or any other processing that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the in-scope industrial grade amorphous silica fabric.

Excluded from the scope of the investigation is amorphous silica fabric that is subjected to controlled shrinkage, which is also called "pre-shrunk" or "aerospace grade" amorphous silica fabric. In order to be excluded as a pre-shrunk or aerospace grade amorphous silica fabric, the amorphous silica fabric must

meet the following exclusion criteria: (1) the amorphous silica fabric must contain a minimum of 98 percent silica (SiO₂) by nominal weight; (2) the amorphous silica fabric must have an areal shrinkage of 4 percent or less; (3) the amorphous silica fabric must contain no coatings or treatments; and (4) the amorphous silica fabric must be white in color. For purposes of this scope, “areal shrinkage” refers to the extent to which a specimen of amorphous silica fabric shrinks while subjected to heating at 1800 degrees F for 30 minutes.¹

Also excluded from the scope are amorphous silica fabric rope and tubing (or sleeving). Amorphous silica fabric rope is a knitted or braided product made from amorphous silica yarns. Silica tubing (or sleeving) is braided into a hollow sleeve from amorphous silica yarns.

The subject imports are normally classified in subheadings 7019.59.4021, 7019.59.4096, 7019.59.9021, and 7019.59.9096 of the Harmonized Tariff Schedule of the United States (HTSUS), but may also enter under HTSUS subheadings 7019.40.4030, 7019.40.4060, 7019.40.9030, 7019.40.9060, 7019.51.9010, 7019.51.9090, 7019.52.9010, 7019.52.9021, 7019.52.9096 and 7019.90.1000. HTSUS subheadings are provided for convenience and customs purposes only; the written description of the scope of this investigation is dispositive.

Requirements For Submitting Comments On The Scope Of The Investigations: Please be sure to comply with all three requirements established below.

Deadline for Submitting Comments:

As announced in the Initiation Notices, Commerce is setting aside a period for interested parties to raise issues regarding product coverage (scope). The period for scope comments is intended to provide Commerce with ample opportunity to consider all comments and to consult with parties prior to the issuance of the preliminary determination, as appropriate. If scope comments include factual information (see 19 CFR 351.102(b)(21)), all such factual information should be limited to public information. Commerce requests that all such comments be filed by 5:00 p.m. Eastern Daylight Time (EDT) on March 7, 2016, which is 20 calendar days from the signature date of this notice. Any rebuttal comments, which may include factual information, must be filed by 5:00 p.m. EDT on March 17, 2016, which is 10 calendar days after the initial comments deadline. Commerce requests that any factual information the parties consider relevant to the scope of the investigations be submitted during this time period. However, if a party subsequently finds that additional factual information pertaining to the scope of the investigations may be relevant, the party may contact Commerce and request permission to submit the additional information. **All such comments must be filed on the records of each of the concurrent AD and CVD investigations identified above.**

Required Entry of Appearance:

Parties wishing to participate in this segment and be included on the public service list must file a letter of appearance. Section 351.103(d)(1) of Commerce’s regulations states that “with the exception of a petitioner filing a petition in an investigation, to be included on the public service

¹ Areal shrinkage is expressed as the following percentage:

$$\frac{\text{Fired Area, cm}^2 - \text{Initial Area, cm}^2}{\text{Initial Area, cm}^2} \times 100 = \text{Areal Shrinkage, \%}$$

list for a particular segment, each interested party must file a letter of appearance.” The letter of appearance must be filed separately from any other document (with the exception of an application for APO access). Note, the letter of appearance must state how the party qualifies as an interested party (*e.g.*, an exporter, producer, importer of the subject merchandise) and must include a point of contact, including address, telephone/fax number and email address.

All submissions to Commerce must be filed electronically using Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). An electronically-filed document must be received successfully in its entirety by the time, typically 5 p.m., and date when it is due. Documents excepted from the electronic submission requirements must be filed manually (*i.e.*, in paper form) with Enforcement and Compliance’s APO/Dockets Unit, Room 18022, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, and stamped with the date and time of receipt by the applicable deadlines.

For your convenience, Commerce has the following resources available online to assist you in complying with these electronic filing procedures:

ACCESS: Help Link
<https://access.trade.gov/help.aspx>

ACCESS: External User Guide <https://access.trade.gov/help/ACCESS%20User%20Guide.pdf>

ACCESS: Handbook on Electronic Filing Procedures
<https://access.trade.gov/help/Handbook%20on%20Electronic%20Filing%20Procedures.pdf>

Federal Register notice: Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures, 76 FR 39263 (July 6, 2011)
<http://www.gpo.gov/fdsys/pkg/FR-2011-07-06/pdf/2011-16352.pdf>

Enforcement and Compliance: Change of Electronic Filing System Name, 79 FR 69046 (November 20, 2014)
<http://www.gpo.gov/fdsys/pkg/FR-2014-11-20/pdf/2014-27530.pdf>

Enforcement and Compliance: General Filing Requirements
<http://enforcement.trade.gov/filing/index.html>

Required Certifications:

Please note that the following certification requirements are in effect for company / government officials as well as their representatives. In all segments of antidumping duty or countervailing duty proceedings initiated on or after August 16, 2013, parties submitting factual information must use the formats for the certifications provided at the end of the Final Rule. *See Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings*, 78 FR 42678 (July 17, 2013) (Final Rule). *See also* the frequently asked questions regarding the Final Rule, available at http://enforcement.trade.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf.

For Further Information Contact:

AD/CVD Operations, Enforcement and Compliance, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230:

Michael Heaney at (202) 482-4475 (Antidumping Duty Investigation from the People's Republic of China);

Scott Hoefke at (202) 482-4947 (Antidumping Duty Investigation from the People's Republic of China)

Yasmin Bordas at (202) 482-3813 (Countervailing Duty Investigation from the People's Republic of China)

John Corrigan at (202) 482-7438 (Countervailing Duty Investigation from the People's Republic of China)

Emily Maloof at (202) 482-5649 (Countervailing Duty Investigation from the People's Republic of China)

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